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| | United States Attorney | | |
| 2 | District of Nevada Nevada Bar Number 13644 | | |
| 3 | LISA CARTIER GIROUX | | |
| | Nevada State Bar Number 14040 STEPHANIE IHLER | | |
| 4 | Assistant United States Attorney | | |
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| 7 | Attorneys for the United States of America | | |
| 8 | LINUTED CTATES DISTRICT COLUMN | | |
| 9 | UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA | | |
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| 10 | UNITED STATES OF AMERICA, | Case No. 2:20-cr-00126-APG-VCF | |
| 11 | Plaintiff, | | |
| 12 | Fiantin, | Stipulation to Continue Trial Date | |
| 12 | v. | (First Request) | |
| 13 | TYREE WALKER, | | |
| 14 | DEVARIAN HAYNES, and RICARDO DENSMORE, | | |
| | RICARDO DENSMORE, | | |
| 15 | Defendants. | | |
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| | IT IS HEREBY STIPULATED AND AGREED by and between, Nicholas A. | | |
| 18 | Trutanich, United States Attorney, District of Nevada, Stephanie Ihler, Assistant United States | | |
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| 20 | Attorney, representing the United States of America, and Christopher Mishler, counsel for | | |
| | defendant Devarian Haynes, Erin Gettel, counsel for defendant Tyree Walker, and Ivette | | |
| 21 | Maningo, counsel for defendant Ricardo Densmore, that the video/telephonic calendar call | | |
| 22 | | | |
| 23 | currently scheduled for August 18, 2020 at 8:45 a.m., and the trial scheduled for August 24, 2020 | | |
| | at 9:00 a.m., be vacated and continued sixty (60) days, or to a date and time to be set by this | | |
| 24 | Honorable Court. | | |
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1 This Stipulation is entered into for the following reasons: The failure to grant this continuance would deny counsel for the defendants the 2 1. reasonable time necessary for effective preparation, taking into account the exercise of due 3 diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv). 4 2. The defendants are not incarcerated and do not oppose the continuance. 5 3. Counsel for the defendants will need additional time to conduct investigation in this 6 case in order to determine whether there are any pretrial issues that must be litigated and whether 7 the case will ultimately go to trial or be resolved through negotiations. The additional time requested herein is not sought for purposes of delay, but merely 8 to allow counsel for the defendants sufficient time to investigate the case and prepare a defense for 9 trial. 10 5. A denial of this request for continuance could result in a miscarriage of justice, and 11 the ends of justice served by granting this request outweigh the best interests of the public and the defendants in a speedy trial. 12 6. The additional time requested by this stipulation is excludable in computing the 13 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, 14 United States Code, § 3161(h)(7)(A), considering the factors under Title 18, United States Code 15 §§ 3161(h)(7)(B)(i) and 3161(h)(B)(iv). 16 This is the first stipulation to continue filed herein. DATED this 29th day of July, 2020. 17 18 RENE L. VALLADARES NICHOLAS A. TRUTANICH Federal Public Defender United States Attorney 19 /s/ Erin M. Gettel /s/ Stephanie Ihler 20 By_{-} ERIN M. GETTEL STEPHANIE IHLER 21 Assistant Federal Public Defender Assistant United States Attorney Counsel for Tyree Walker 22 23 /s/ Christopher Mishler /s/ Ivette A. Maningo By CHRISTOPHER MISHLER IVETTE A. MANINGO 24

Counsel for Devarian Haynes

Counsel for Ricardo Densmore

UNITED STATES DISTRICT COURT 1 FOR THE DISTRICT OF NEVADA 2 UNITED STATES OF AMERICA, Case No. 2:20-cr-00126-APG-VCF 3 Plaintiff, 4 ORDER GRANTING STIPULATION TO v. 5 **CONTINUE TRIAL DATE** TYREE WALKER, 6 DEVARIAN HAYNES, and RICARDO DENSMORE, 7 Defendants. 8 9 **FINDINGS OF FACT** 10 Based on the pending Stipulation of counsel for the government and defendants, and good 11 cause appearing therefore, the Court finds that: 12 1. The failure to grant this continuance would deny counsel for the defendants the 13 reasonable time necessary for effective preparation, taking into account the exercise 14 of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv). 15 2. The defendants are not incarcerated and do not oppose the continuance. 16 3. Counsel for the defendants will need additional time to conduct investigation in this 17 case in order to determine whether there are any pretrial issues that must be litigated and whether 18 the case will ultimately go to trial or be resolved through negotiations. 19 4. The additional time requested herein is not sought for purposes of delay, but merely 20 to allow counsel for the defendants sufficient time to investigate the case and prepare a defense for 21 trial. 22 5. A denial of this request for continuance could result in a miscarriage of justice, and 23 the ends of justice served by granting this request outweigh the best interests of the public and the 24 defendants in a speedy trial.

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6. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161(h)(B)(iv).

This is the first stipulation to continue filed herein.

CONCLUSIONS OF LAW

- 1. The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny counsel for the defendant herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.
- 2. The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

ORDER

IT IS THEREFORE ORDERED that the parties shall have to and including Friday, October 16, 2020 , within which to file any and all pre-trial motions and notice of defense.

IT IS FURTHER ORDERED that the parties herein shall have to and including Friday, October 30, 2020 , within which to file any and all responsive pleadings.

IT IS FURTHER ORDERED that the parties herein shall have to and including Friday, November 6, 2020 , within which to file any and all replies to dispositive motions.

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IT IS FURTHER ORDERED that the Calendar Call currently scheduled for August 18, 2020 at 8:45 a.m. be vacated and continued to December 8, 2020 at 8:45 a.m. and the Trial currently scheduled for August 24, 2020 at 9:00 a.m. be vacated and continued to December 14, 2020 at 9:00 a.m. in Las Vegas Courtroom 6C. DATED this 30th day of July, 2020. HONORABLE ANDREW P. GORDON United States District Court Judge